



STATE OF DELAWARE
Child Death, Near Death and Stillbirth Commission
900 King Street
Wilmington, DE 19801-3341

CAPTA¹ REPORT

In the Matter of
Lorie Lazzo-Napinski
and
Daria Lazzo-Napinski
Minor Child²

9-03-2008-00020
and
9-03-2008-00008

November 19, 2010

¹ The federal Child Abuse Prevention and Treatment Act requires the disclosure of facts and circumstances related to a child's near death or death. 42 U.S.C § 5106 a(b)(2)(A)(x). See also, 31 Del.C. § 323 (a).

² To protect the confidentiality of the family, case workers, and other child protection professionals, pseudonyms have been assigned.

Background and Acknowledgements

The Child Death, Near Death and Stillbirth Commission (“CDNDSC”) was statutorily created in 1995 after a pilot project showed the effectiveness of such a review process for preventing future child deaths. The mission of CDNDSC is to safeguard the health and safety of all Delaware children as set forth in 31 Del.C., Ch., 3.

Multi-disciplinary Review Panels meet monthly and conduct a retrospective review of the history and circumstances surrounding each child’s death or near death and determine whether system recommendations are necessary to prevent future deaths or near deaths. The process brings professionals and experts from a variety of disciplines together to conduct in-depth case reviews, create multi-faceted recommendations to improve systems and encourage interagency collaboration to end the mortality of children in Delaware.

Summary of Incident

The cases regarding Lorie Lazzo-Napinski and Daria Lazzo-Napinski were reviewed by the Child Abuse and Neglect Panel in 2008. These cases resulted in the death of Lorie Lazzo-Napinski and the near death of Daria Lazzo-Napinski due to an unintentional injury by a motor vehicle, as a result of mother’s failure to use an appropriate pedestrian crosswalk on 6/09/07. The death of Lorie Lazzo-Napinski occurred when she was five months and twelve days of age. The cause of death was blunt force trauma to the head and the manner of death was determined to be accidental. The near death of Daria Lazzo-Napinski occurred when she was six years and nine months of age and resulted in her sustaining multiple injuries to the face, legs, chest, and skull.

On the day of the child death and near death, the siblings were under the supervision of their mother who knowingly and admittedly failed to use the pedestrian crosswalk. While crossing the highway, the children were struck by a truck throwing Lorie into the grassy median and trapping Daria under the trailer of the truck that struck her. Lorie was brought to the hospital as a trauma code and presented pulseless with a massive crushing head injury. Cardio pulmonary resuscitation ensued with no return of pulses and pupils were noted to be fixed and dilated. Child was pronounced dead at the hospital. Daria was brought to the hospital as a trauma where she was intubated. Over the course of her hospitalization, Daria received blood transfusions, was sedated and given pain control. She developed complication from her injuries including traumatic brain injury, multiple fractures, and deep vein thrombosis, as a complication of her injuries. Daria was transferred to another hospital for further evaluation, treatment, and rehabilitation approximately thirteen days after the near death incident.

During the investigation by the respective police agency, the mother stated that she was aware of the crosswalk but failed to use it because it was not part of her usual routine. The mother was arrested and initially charged with two counts of Child Endangerment, a

misdemeanor offense. On 7/07/08, mother pled guilty to Endangering the Welfare of a Child.

Further inquiry as to the mother's history with the Department of Services for Children, Youth, and Their Family (DSCYF), revealed that the mother had no history. However, mother is an undocumented alien and Immigration and Naturalization Services (INS) was active with mother which eventually led to her deportation.

System Recommendations

The following recommendations were put forth by the Commission:

- (1) CDNDSC will contact the Office of Highway Safety for further information and statistics regarding pedestrian jay walking.
 - a. Rationale: To look at the trends relating to death and or injuries resulting from jay walking at this location in order to see if further action needs to be taken.
 - b. Anticipated Result: To affirm that all markings and signage is appropriately placed in order to prevent pedestrians from jay walking.
 - c. Agency Responsible: CDNDSC